

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

ME2 PRODUCTIONS, INC.,)
Plaintiff,)
)
v.) CAUSE NO. 2:17-CV-96-PPS-PRC
)
DOE 1, et al.,)
Defendants.)

ORDER

This matter is before the Court on a Second Motion to Extend Time to Serve Defendants [DE 19], filed by Plaintiff ME2 Productions, Inc. on December 15, 2017.

Plaintiff filed a Complaint for Copyright Infringement on March 2, 2017. On July 6, 2017, Plaintiff filed a motion to extend the time to serve the Doe Defendants. That motion was granted, and Plaintiff's new deadline to serve Defendants was set for September 5, 2017. The instant motion was filed more than three months after that deadline expired.

Because Plaintiff already received a new deadline to serve Defendants, Plaintiff must meet the excusable neglect standard of Federal Rule of Civil Procedure 6(b), which is "less generous to dawdlers than Rule 4(m)." *United States v. McLaughlin*, 470 F.3d 698, 700 (7th Cir. 2006).

Plaintiff, in its motion, states that an extension is necessary for ongoing potential resolution of claims against two Defendants and that Plaintiff needs additional time to identify the remaining Defendants. Plaintiff does not explain why the motion for extension of time was not filed before the deadline expired.

Plaintiff has not shown excusable neglect. The motion must be denied. Further, the Court does not have sufficient information regarding Plaintiff's representation that it has been unable to identify the potential infringers based on the information provided to it by Comcast Cable. Any

future motion requesting an extension of the deadline to serve the parties on the basis of needing additional time to identify the remaining Defendants must include an explanation of why it has taken months for Plaintiff to learn the identity of the alleged infringers based on the information provided and, as a sealed exhibit for *in camera* inspection, the information provided by Comcast Cable.

Based on the foregoing, the Court hereby **DENIES without prejudice** the Second Motion to Extend Time to Serve Defendants [DE 19]. The Court **SETS** the deadline for Plaintiff to refile the motion for **January 2, 2018**.

So ORDERED this 19th day of December, 2017.

s/ Paul R. Cherry
MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT